

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**FIRST APPEAL NO. 1336 OF 1986****For Approval and Signature:****HONOURABLE MR.JUSTICE R.S.GARG**

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1 Whether Reporters of Local Papers may be allowed
to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of
the judgment ?

4 Whether this case involves a substantial question of
law as to the interpretation of the Constitution of
India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the Civil Judge ?

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GUJARAT STATE ROAD TRANSPORT CORPORATION - Appellant(s)**Versus****KAPILABEN JAGANNATH SUTHAR & ORS. - Respondent(s)**

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Appearance :

Ms. Jyoti Mehta for Appellant(s).

Shri Shital Patel for Respondent(s) : 1 - 2.

None for Respondent(s) : 3.

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CORAM : HONOURABLE MR.JUSTICE R.S.GARG**Date : 02/08/2007****ORAL JUDGMENT**

The appellant-Gujarat State Road Transport Corporation,
being aggrieved by the award dated 27th March, 1986 passed by the

learned Motor Accident Claims Tribunal (Auxiliary), Vadodara in M.A.C.P. No.425 of 1984, is before this Court, with a submission that the learned Tribunal below was unjustified in making the award in the sum of Rs.52,940/- in case of death of a young boy of around 15 (fifteen) years of age.

2. After taking me through the evidence and the findings recorded by the learned Tribunal below, Ms. Jyoti Mehta, learned Counsel for the appellant, submitted that the appeal deserves to be allowed.

3. After hearing the learned Counsel for the appellants and on going through the evidence, I must hold that the learned Tribunal below was, in fact, unjustified in making the award only in the sum of Rs.52,940/- in case of death of a boy of 15 (fifteen) years, who had passed his 9th Standard Class Examination in first rank, he had a bright future and he could, in fact, serve his family and earn a respectable livelihood. However, in absence of any Cross Objections, I will drop the subject here itself with a finding that the learned Tribunal below was not unjustified in making the award. The appeal deserves to and is, accordingly, dismissed. No costs.

[R.S.Garg, J.]

*kamlesh**